

MINUTES

REGULAR MEETING – PLANNING BOARD

August 24, 2023

Minutes of the Regular Meeting of the Planning Board for the City of Daytona Beach, Florida, held on Thursday, August 24, 2023 at 6:00 p.m. in the Commission Chambers, City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida.

1. **Call to Order**

Mr. Barhoo, Chair, called the meeting to order.

2. **Roll Call**

Board Members Present:

Tony Barhoo, Chair	Present
Michael McLean, Vice Chair	Present
Cathy Washington, Secretary	Present
James Newman	Present
Milverton Robinson	Present
Vernon Weatherholtz	Present (arrived at 6:18 p.m.)

Board Members Absent:

Tony Servance	Absent
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Also Present:

Dennis Mrozek, Planning Director
David Russell, Assistant City Attorney
Rose Askew, Development Services Project Manager
Doug Gutierrez, Principal Planner
Paula Long, Planner
Hannah Ward, Senior Planner
Vanessa Trimble, Planning Technician

3. **Approval of the Minutes** - July 27, 2023

Approval of the Minutes of the July 27, 2023, Planning Board Meeting held at City Hall, 301 South Ridgewood Avenue, Daytona Beach, Florida

Mr. McLean asked that the minutes be corrected to read that Mr. Barhoo, not Mr. Servance, called the meeting to order.

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve the minutes as corrected. The motion passed (5-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Cathy Washington, Secretary	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes

New Items:

4. **Eagle Landing Phase 4 – Site Plan – DEV2023-071 (Quasi-Judicial Hearing)**

A request by Parker Mynchenberg, P.E., Parker Mynchenberg & Associates, Inc., on behalf of Daytona Properties, LLP (property owner), to approve a Major Site Plan constructing a 38,028 SF, 24-unit building addition to the existing complex, inclusive of associated site improvements on 17.6± acres of land located on Forest Glen Boulevard south of Shady Place.

Staff Presentation:

Paula Long, Planner, presented the staff report which was included as part of the packet. Ms. Long stated the request is for a Major Site Plan for constructing a 38,028 s.f., 24-unit multi-family building on Forest Glen Boulevard. Ms. Long stated this is a portion of a much larger project.

Applicant Presentation:

Tanner Banks with Parker Mynchenberg & Associates, 1729 S. Ridgewood Avenue, Holly Hill, Florida, spoke representing the applicant. Mr. Banks stated the structure will be used for student housing. Mr. Mrozek noted the use is multi-family so anyone could stay there but students tend to stay at this location.

Public Comments:

There were no public comments.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to approve Eagle Landing Phase 4 – Site Plan – DEV2023-071, in accordance with the staff report as presented. The motion passed (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Cathy Washington, Secretary	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Vernon Weatherholtz	Yes

5. **Beachside Retreat – Planned Development-General (PD-G) Rezoning – DEV2022-183 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Atlantic Beach Resort LLC (property owner), to rezone 1.3± acres of land from the Tourist Accommodations (T-1) zoning district to Planned Development-General (PD-G) to allow for the development of a hotel with For special accommodations please notify the City Clerk's Office at least 72 hours in advance. (386) 671-8020 Help for the hearing impaired is available through the Assistive Listening System. Receivers can be obtained from the City Clerk's Office. Page 2 of 2 conference space, restaurant, and/or bar/lounge uses (open to the public). The property is located on the east side of North Atlantic Avenue (SR-A1A), just south of the intersection of Plaza Boulevard and SR-A1A, at 2696 N. Atlantic Ave.

Staff Presentation:

Staff requested that this item be continued to the September, 2023 Planning Board meeting since correct notification of a neighborhood meeting had not been completed.

Board Action:

A motion was made by Mr. McLean, seconded by Mr. Newman, to continue Beachside Retreat – Planned Development-General (PD-G) Rezoning – DEV2022-183 to the September 28, 2023 Planning Board Meeting. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Cathy Washington, Secretary	Yes
Michael McLean, Vice Chair	Yes

James Newman	Yes
Milverton Robinson	Yes
Vernon Weatherholtz	Yes

6. **Daytona Specialty Food & Marketplace – Planned Development-General (PD-G) Rezoning – DEV2022-208 (Quasi-Judicial Hearing)**

A request by Robert A. Merrell III, Esq., Cobb Cole, on behalf of Danza of Daytona, LLC, to rezone 4.7± acres of land from Tourist Highway Interchange (T-5) to Planned Development-General (PD-G) to allow for a specialty food marketplace and associated site improvements. The property is located at 101 Indigo Drive.

Staff Presentation:

Hannah Ward, Senior Planner, presented the staff report which was included as part of the packet. Ms. Ward stated the project will consist of apartments and a marketplace.

Applicant Presentation:

Rob Merrell, Cobb Cole, 129 S. Ridgewood Avenue, Daytona Beach, Florida spoke representing the applicant. Mr. Merrell stated this project incorporates the “incubator” concept for individuals starting out in the food service business. A video was presented on the proposed project.

Mr. Milverton questioned the signage.

Mr. Mrozek stated permitted signage could be up to 85 feet high in accordance with the Land Development Code.

Mr. Robinson asked about the issue with the lift station connection.

Joe Hopkins, The Performance Group, 100 Marina Point Drive, Daytona Beach, Florida stated there is a lift station on the adjacent property that is operated by another party; and an agreement will be developed to share in the maintenance of that lift station.

Mr. McLean stated he feels the project is an excellent idea for people interested in entering the food service; he stated he feels communication towers could be placed on the property; and stated he feels signage restrictions should be reviewed to make sure it is in keeping with today’s development.

Mr. Weatherholtz asked about the use of the kitchens and asked if someone could prepare food at the site and then sell it someplace else.

Mr. Weatherholtz also stated he feels the signage restrictions should be reviewed.

Jessica Gow, Cobb Cole, 129 S. Ridgewood Avenue, Daytona Beach, Florida reviewed the proposed signage locations.

Mr. Merrell stated tenants will lease the space and will receive instruction on food preparation.

Public Comments:

George Franek, Jr., 140 Wing Foot Circle, Daytona Beach, Florida discussed traffic; drainage; and stated the project does not fit in with what exists in the area.

Gina Gibson, 119 Village Park Drive, Daytona Beach, Florida expressed concern about the lift station; ingress/egress to the site; a deteriorating bridge on the site; and drainage.

Gus Colarusso, Daytona Beach, Florida expressed frustration with development in Daytona Beach.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida asked if the central kitchen can be used if you are not leasing space and asked that the lift station and drainage be addressed. Ms. Ruby stated, otherwise, she is in favor of this project.

Mr. Merrell stated this is a new use, but commercial development has been planned for this site since the beginning of the development. Mr. Merrell stated a more intense development is permitted on this site; and what is requested is much smaller. Mr. Merrell stated the kitchens are only for tenants.

Joe Hopkins stated he is working to achieve a cooperative agreement for the lift station. Mr. Hopkins stated drainage will be addressed as part of the development and he will meet with the Public Works Director to see if there is a remedial improvement that could be done to address drainage concerns expressed by the residents of the adjacent development.

Mr. Barhoo asked if there is any history as far as the site being opened to development other than by Indigo.

Mr. Mrozek stated it is a public right of way for access to the site. Mr. Mrozek stated traffic is reviewed as part of the site plan process.

Mr. Merrell stated the developer is not intending to change the access.

Mr. McLean asked if Mr. Hopkins would commit to meeting with the residents to resolve the lift station issue.

Mr. Hopkins stated absolutely. Mr. Hopkins stated since the subject project had not been developed, the adjacent land owner took over the maintenance of the lift station. Mr. Hopkins stated another lift station could be installed but he would prefer that there be only one.

Mr. Weatherholtz asked if there is a legal document in place for the use of the existing lift station.

Mr. Merrell stated there is correspondence from Scott Simpson, Esq., included in the packet regarding development of an agreement for use of the lift station. Mr. Merrell stated this project will be above code in terms of water management and drainage.

Board Action:

A motion was made by Mr. McLean, seconded by Ms. Washington, to approve Daytona Specialty Food & Marketplace – Planned Development-General (PD-G) Rezoning – DEV2022-208, in accordance with the staff report as presented. The motion carried (6-0) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Cathy Washington, Secretary	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	Yes
Vernon Weatherholtz	Yes

7. **Special Use Permit Review Standards – Land Development Code Text Amendment DEV2023-196 (Legislative Hearing)**

A request by the Growth Management and Planning Department, to amend Article 3, Section 3.4.G.4 - Special Use Permit Review Standards, of the Land Development Code, to remove the text requiring Planning Board recommendation to waive zoning district standards.

Staff Presentation:

Rose Askew, Project Manager, presented the staff report which was included as part of the packet. Ms. Askew reviewed the proposed language change to Section 3.4.G of the Land Development to remove

text requiring Planning Board recommendations for approval to waive zoning district standards.

Mr. Robinson stated he disagrees with this change.

Mr. Russell, Assistant City Attorney, stated this is a housekeeping matter and items would still come before the Planning Board for a recommendation.

The Board members discussed the change and noted several changes such as this have been made in the past.

Public Comments:

Gus Colarusso, Daytona Beach, Florida stated the Planning Board is the first voice for residents and expressed concern about the development process.

Sandy Murphy, 136 Park Avenue, Daytona Beach, Florida stated many people do not understand the role of Boards and the development process.

Anne Ruby, 137 Park Avenue, Daytona Beach, Florida stated a presentation was made at the Beachside Neighborhood Watch meeting regarding the development process. Ms. Ruby suggested the city hold a similar workshop or videos so there is a better understanding of the process.

Board Action:

A motion was made by Mr. McLean, seconded by Ms. Washington, to approve Special Use Permit Review Standards – Land Development Code Text Amendment DEV2023-196, in accordance with the staff report as presented. The motion carried (5-1) with the breakdown as follows:

Tony Barhoo, Chair	Yes
Cathy Washington, Secretary	Yes
Michael McLean, Vice Chair	Yes
James Newman	Yes
Milverton Robinson	No
Vernon Weatherholtz	Yes

8. **Other Business:**

- a. Downtown/Balough Road Redevelopment Area Board Report

Mr. Newman stated the Board met and reviewed projects for the north end of Beach Street. Mr. Newman stated there was discussion about closing the Magnolia Street Market, which is now gone.

b. Midtown Redevelopment Area Board Report

Ms. Washington stated the Board met and reviewed a development project.

c. Beachside Redevelopment Area Board Report

There was no report on the Beachside Redevelopment Area Board.

d. Public Comments

Juavier Benavante, 614 S Beach Street, Daytona Beach, Florida spoke regarding a change of zoning request for a boat storage facility to be located on South Beach Street.

John Nicholson, 413 N. Grandview Avenue, Daytona Beach, Florida spoke about development on the beachside.

e. Staff Comments

Mr. Mrozek stated the City Commission recently approved a redistricting of the City zones. Mr. Mrozek stated most Planning Board appointees remained in the district from which they were originally appointed; however, Mr. Newman is no longer in District 3; therefore, this will be Mr. Newman's last meeting. Mr. Mrozek thanked Mr. Newman for his service.

f. Board Members Comments

Mr. Robinson suggested a flow chart be prepared to help citizens and Board members understand the development process.

The Board members thanked Mr. Newman for his service.

Adjournment

There being no further business, the meeting was adjourned.


Tony Barho, Chair


Cathy Washington, Board Secretary